Secrl. II-27—58,004—27-10-47.

Revenue (194 8) Department.

Ms. SERIES.

G.O. NO. 3006.

Dated the 16th December 1948.

[Despatch Abstract.]

ALIENATION - Land and Revenue - (Bellary) - Bellary taluk and town - S.No.435/6B/3 - Mundalur Narasimmappa Memorial Committee for hostel - Sanctioned.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms	5489F/46-2	Rev	17-X-46				

Further Papers

G.O.	No.	Department.	Date.	G O.	No.	Department.	Date.
	2701	Rev	18.10.49				

REVENUE DEPARTMENT.

Subject:

ALIENATION - LAND AND LAND REVENUE - Bellary District Bellary Taluk and Town - S.No.432-6B/3 - Site for locating hostel - Proposals - Recommended.

Ref.E.No.3794/48-1 Station: M a d r a s. Dated 26th July 48.

From

P.M.Jayarajan Esq, Bar-at-Law, ICS, Secretary, Board of Revenue.

S.Ranganathan Esq, O.B.E., I.C.S., Commissioner of Land Revenue and Commercial Taxes.

Read: Memo No.2439/F-46 Revenue dated 17-10-46.
From the Collr.of Bellary Rc.No.5003/48 dt.21-6-48.

...

Reference:.

At the instance of the Collector of Bellary the Board recommends the alienation of the plot of land comprised in S.No.432-6B/3 of Bellary Town in Bellary taluk measuring 2 Ac.2-51 in favour of the Board of Trustees of Mundalur Narasimmappa Memorial Committee for the use as the site of hostel building for the use of the pupils of the Municipal High School, Bellary.

2. The alienation will be free of charge for the occupancy right and free of ground rent and subject to the following conditions:-

1. The land shall be used as the site of hostel and for no other purpose.

2. The hostel shall be constructed within a period of two years from the date of the grant.

3. No other building shall be constructed on the land without the previous permission of the Collector of the district.

4. The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land. The decision of the Collector on the question whether grantee derives a substantial income from the land shall be final.

5. The hostel shall be managed and maintained efficiently to the satisfaction of the Collector.

6. The grantee shall execute the repairs which in the opinion of the Collector of the district are considered necessary whenever required by him to do so.

7. The hostel shall be open to members of all communities.

8. The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringment of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realize the cost of such removal by the sale of the materials.

The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event o such resumption, or in the event of the acquisition the land for any reasons, the compensation payable f the land and trees shall in no case exceed the amoun paid for them by the grantee or their value at the t of resumption or acquisition whichever may be less, and the compensation payable for buildings or other improvements shall in no case exceed the amount paid them by the grantee at the time of alienation or the value at the time of resumption or acquisition, whic ever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less of any buildings erected or ot improvements effected on the land by the grantee in in accordance with the terms of the grant. The amou of any grant made by the Government towards the cost of the buildings or other improvements shall be dedu from the compensation payable under this condition. But in no circumstances shall any compensation be pa by the Government in respect of buildings constructe in contravention of condition(3).

In the event of the voluntary relinquishment of the by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the rep ment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

The Government reserve to themselves the right to all sandal-wood trees and their branches and roots which exist at the time of alienation as well as these whic may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them c cause them to be cut or removed without the permissic of the Collector of the district.

The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

14. The alienee shall take the steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

15. In the event of the infringement of, or failure to observe any of the conditions (12) to (14) the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

for SECRETARY.

To

The Secretary to Government, Revenue Department with the copy of Collr's letter with alienation statements.

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Copy of Collector's No.Rc.No.5003/48.A.2 dt.21-6-1948..

...

Alienation - Land (Bellary) Bellary taluk & town -S.No.432-6 B/3 - Site for locating hostel - Proposals submitted.

In Government Memo No.5489 F.46 Rev.Dept. dt.14-10-46, communicated with B.P.Rt.No.5736, dt.29-10-46, the Board of trustees of the Mundlur Narasimappa Hostel, Bellary, were permitted to enter upon the land measuring 2-51 acres forming part of S.No.432-6-B/3 of Bellary town pending formal sanction of alienation by Government. Proposals for the alienation of land and land revenue are herewith submitted in the prescribed form.

2. Though the Mundlur Narasimiappa Memorial Committee has not been registered under any of the acts specified in B.S.O.24(2), the deed of trust constituting the Board of trustees has been registered in the Dt. Registrar's Office as document No.287 dated 20-10-1947. The Government Pleader is of opinion that this is enough guarantee that the doner will carry out the trust and its object and that no further registration under the accounts specified in B.S.O.24(2) is necessary.

3. A sum of Rs.1-14-0 being the value of one Margosa tree existing on the site has been collected from the Managing trustee and credited in the Bellary Sub Treasury. The site in question is a portion on the site which was alienated in favour of the Municipal Council, Bellary for playground in G.O.No.763 Revenue M.S. dt.5-4-1932 free of occupancy right and groundrent. It may be alienated free of occupancy right and groundrent now also, as the proposed alienee derives public purpose. The Board of trustees have agreed to abide by all the general and special conditions that the Govt. may impose while alienating the land. A copy of the conditions is enclosed.

/True copy/

4

Application for the alienation of land in which the proprietary right belongs to the State.

DISTRICT ....Bellary.....

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1. Description and area — S.No. T.S.No.39/1 and T.S.No.37/2 of Bellary village in Bellary taluk, measuring 2 - 51 acres.

2. Value — (a) Market value. Rs.9870/- at the rate of 0-13-0 per sq. yard.
(b) Subject to ground-rent or assessment.

3. Alienees and purpose of alienation .. For the purpose of a construction of a Hostel for the use of the pupils of the Municipal High School, Bellary.

Collector's remarks. Please see the report enclosed.

/True copy/

For SECRETARY.

Revenue

Application for the alienation of land in which the proprietary right belongs to the State.

DISTRICT ..... Bellary .....

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1. Description and area — S.No. 37/2 and 39/1 of Bellary village in Bellary taluk, measuring 2.51 acres.

2. Value — (a)

(b) Annual ground rent. Rs. 15-10-0. at Rs. 6-4-0 per acre.

3. ~~Aliences and purpose of alienation~~ .. Capitalised value at 25 times the ground-rent. Rs. 390-10-0.

4. Collector's remarks. Please see separate report enclosed

/True copy/

For Secretary.

29/24/8

Keep these CD = file

24/8

4/8

Th 1 = 5 CF

Issue & Keep clean copy in file.

2/9 CF

2/9/48

Put up file 129

CF. A on 3 CF

6

Rev Dept

Memo. 4.4175 II/48 dated. 2-4-8-48

Alienation - Land and Rev (Bellary) Bellary Taluk and Town, SNo. 432-6B'3 - to Trustees of Maandalur Narasimmappa Memorial Committee - for a Hostel.

From the Bd. of Rev. Proc E No 3794/48-1 dated 26-7-48.

It is seen from para 2 of the Coll's letter Re No. 5003/48 A2 d. 21-6-48 that the Bd. of Trustees has not been registered under any of the Acts specified in B.S.O 24(2). The Bd is requested ~~to state clearly how it has not been considered as registered under the Act as unnecessary in the case~~ to send a copy of its

TO

Govt. Pleader's opinion referred to the by the Coll[r]. of Bellary. Cf A on f 3 L.F.

2 The site in question is a portion of which was alienated in favour of the Municipal Council Bellary for playground in Lr. Ms 763 Rev[d]. 5-4-32. The Bd is requested to state whether the portion proposed for alienation in favour of the Bd. of Trustees has already been resumed from the control of the Municipal Council, ~~and if so to quote the orders in which it was done.~~

(9) The Mcpty has already relinquished the int. by 21/8/48

~~2~~ 3 The Bd is also requested to obtain and submit a clear sketch ~~of~~ showing the portion now under actual occupation by the proposed alienee under orders in Govt. Memo 5489 F/4 b Rev[d] 14-X-46 and the portion now proposed for alienation.

18/8/48

21.8.48

Lr. 3.4 Cf (7)

To The Bd of Rev
Lr. Ms. No 21.8.48

8

GOVERNMENT OF MADRAS
Revenue Department

Copy of Mr 6-7a

Memorandum No.44175-A/48, dated the 24th August 1948

ALIENATION - Land and Revenue - (Bellary) - Bellary taluk and town - S.No. 432 - 6B/3 - to trustees of Mandalur Narasimmappa Memorial Committee - for a hostel.

From the Board of Revenue, Ref.E.No.3794/48-1, d/26-7-48.

It is seen from para 2 of the Collector's letter Rc.No.5003/48 A2, dated 21st June 1948 that the Board of Trustees has not been registered under any of the Acts specified in B.S.O.24(2). The Board is requested to send a copy of the Government pleader's opinion referred to by the Collector of Bellary. The Board is also requested to obtain and submit a clear illustrative sketch.

V. Narasinga Rao,
Assistant Secretary to Government.

To the Board of Revenue

Forwarded / By Order,

Superintendent.

ks.24.8. RR

REVENUE DEPARTMENT, 9

Subject;

ALIENATION--Land--Bellary taluk and town--T.S.Nos.432 -6- B/3 site for locating Mundlur Narasimhappa memorial hostel--further report submitted.

Reference E.3794/48-3.

Madras. Dated 19th October 1948.

P.N.Jayarajan Esq.,Bar-at-law,I.C.S.,
Secretary, Board of Revenue, Chepauk.

S.Ranganathan Esq.,O.B.E.,I.C.S.,
Commissioner of Land Revenue and Commercial Taxes.

Read: Government Memorandum No.44175/48 A Revenue dated 24-8-48.
Board's Reference E.3794/48-2 dated 4-9-48.
From the Collector of Bellary, Rc.5003/48A2 dated 29-9-48.

REFERENCE:

Submitted to the Government with reference to their Memorandum cited above.

for SECRETARY.

To the Secretary to Government, Revenue Department.

nedr.20-10.

***

Copy of letter,R.C.5003/48 A.2 dated 29-9-48 from the Collector of Bellary, to the Secretary to theBoard of Revenue, Madras.

Sub: Alienation--Land--Bellary taluk and town--T.S.Nos 432 - 6 - B/3 site for locating Maundlur Narasimhappa Memorial hostel--further report submitted.
Ref: Board's Ref. E.3794/48 dated 4-9-48.

A copy of theGovernment Pleader's opinion and an illustrative sketch are enclosed.

Sd. for,Collector.

Copy of G.P.No.60 dated 4-6-48 from the Govt. Pleader, Bellary.

Sub: Alienation--land and revenue Bellary, taluk and town--S.No.423-B/3 Sri Mundlur Narsimhappa's memorail Hostel--proposals.
Yours R.C.No.5003/48 dated 18-5-48.

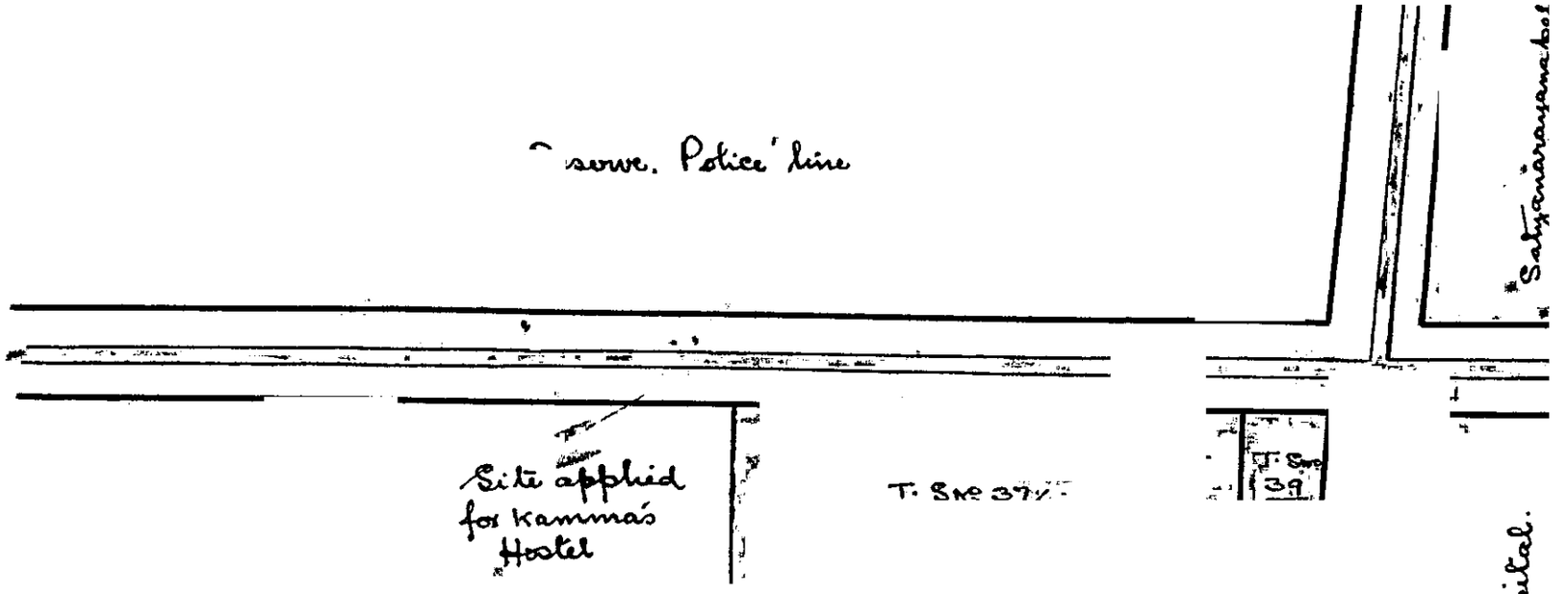
I have gone through the whole file, the relevant provisions of the Board standing orders and the societies Registration Act 21 of 1860,

The family of Mundlur Narasimhappa has donated a sum of money for the purpose of constructing a hostel and run it, to perretuate the name of Sri M.Narasimhappa! For that purpose a Board of Trustees has been set up to manage the said trust. I think the contention of the donor that the Board of trustees is not an association or society requiring registration under any of the Acts specified in B.S.O. 24 (2) is correct.

The deed of trust has been registered and I think that is enough guarantee that the donor will carry out the trust and its object.

The papers are herewith returned and their receipt may kindly be acknowledged.

District. Bellary
Taluk. Bellary
Town. Bellary
Ward No. 15
Block No.
Town Sy. No. 37 + 39



Vacant site of the Municipal High School

Sri. Sabhapathi Mudaliar Hospital.

Taluk Office
23/9/48
Tahsildar

Prepared by
Draftsman

Rev Dept

M. 2-4 (I) Read. Memo No. 5489 F/46-2 dt. 17.X.46.
From the Bd. of Rev Ref. No.
3794/48-1 dated 26.7.48.
From the Bd of Rev. Ref. F. No. 3794/48-3 dt/19.X.48

CF

CMO-44175-A/48

Issue from Rev. 30/16/12

Bdr 5/11/48 Rec 16/12/48

PIC F

G.O. Ms. 3006 dated. 16.12.48

The Govt sanction the alienation of the plot of land comprised in S.No. 432-6 B/3 of Bellary town, Bellary taluk Bellary dt, measuring Acs. 2-51 in favour of the Board of Trustees of Mundalur Narasimmappa Memorial Committe for the use as the site of hostel building for the pupils of the Municipal High School Bellary.

2. The alienation will be free of charge for the occupancy right and free of ground rent but subject to the following conditions:-

PTO

(1.) The land shall be used as the site of the hostel and for no other purpose.

(2). The hostel shall be constructed within a period of two years from the date of the grant.

(3) No other building shall be constructed on the land without the previous permission of the Coll^{r}. of the dt.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land. The decision of the Coll^{r}. on the question whether the grantee derives a substantial income from the land shall be final.

(5) The hostel shall be managed and maintained efficiently to the satisfaction of the Coll^{r}.

(6) The grantee shall execute the repairs which in the opinion of the Coll^{r} of the dt.

are considered necessary whenever required by him to do so.

(7) The hostel shall be open to members of all communities.

(8) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(9) The Government may resume the land, wholly or in part with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with the initial cost or the value at the time of resumption or acquisitions whichever may be less; of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Gobernment towards the cost of the buildings and other improtements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

(10) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be ~~ax~~ payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

(11) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case, the land revenue shall be levied from the date of infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final

(12) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

(13) The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(14) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(15) In the event of infringement of or failure to observe any of the conditions (12) to (14) the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and reenter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alinee shall not be entitled to any compensation whatever.

27.xi.48

15/12/48

(Approved in notes)

To the Bd. of Rev
Typed 17.12.48

Notes File

Rev. Dept

[C.No 44175 A/48]

Alienation - Land and revenue - (Bellary) - Bellary taluk and town - S. No. 432-6 B/3 - Site for locating a hotel - Proposals

C.F | From the Bd. of Rev. — " — F. 5194/48-1 dt 26.7.48
From the Bd. of Rev. Rg. F. 3794/48-3 dt 19.x.48

J. A. S

pp 3-4 (C) | The Govt. in Govt Memo No. 5489 F/46 Rev dt 17.x.46, the Board of Trustees of the Mundlur Narasimappa Memorial Committee was permitted to enter upon the land measuring Acs 2.51 of S/No. 432/6 B/3 (Part) of Bellary town, pending formal sanction of alienation by the Govt. A Sketch of the site is at pp 10 C.F.

2/ In its rcf. on pp 1-5 C.F the Bd. has forwarded proposals for the alienation of the land in question in favour of the Bd of Trustees for the purpose of a hotel. The Collector of Bellary has reported that the Mundlur Narasimappa Memorial Committee ~~is an organisation~~ has not been registered under any of the Acts specified in B.S.O. 24(

p 3 C.F

Govt I Circular 129

3/ The Collector and the Bd. however recommend alienation for the reason that the deed of trust constituting the Bd of Trustees has been registered in the Dt Registrars Office. The Govt Pleader, Bellary is of the opinion that the registration of the deed of trust is a sufficient guarantee that the donor will carry out the trust and its object and that the Board of Trustees is not an association or society requiring registration under any of the Acts specified in B.S.O. 24 (2).

p 3 C.F

p 9 C.F

In this connection perusal is requested of the papers at (P) in which the Govt sanctioned

17 06

the alienation of R.S. No 3544/5 measuring 2 Grounds and 245 Sq ft in Mylapore in favour of the Bd of Trustees of the P.S. High School Mylapore. This Trust Charities Trust also is similar to the one under consideration in this file — Vide X on p 2/(P). The Govt have also alienated State Lands in favour of the Pachaiyappa's Charities Trust. This Committee has also not been registered under any of the Acts specified under u/s B.S. 24(2) — Hence as it is also of the kind referred to above there seems to be no objection in accepting the recommendation of the Collr which is based on the opinion of the Govt Pleader Bellary

3/ A draft order sanctioning the alienation is submitted for approval. Ex PH, Legal and Trs may see before issue.

27.XI.48

Revue 44175 H/48-1

31/12/48

HP.H(B1)

The draft order below may be perused and the file passed on to Finance.

RP 1-12-48

9 DEC 1948 9085

EtP. Hw. 9085/5-1B1

1/12-48

Fin (A.A).

No notes on pp 1-2 above. May be perused. The draft order at pp 1-5 below may be accepted. (No. Govt annual Government rent to be fixed by the Asst Rs. 15-10-0).

15.12.48

Rev.

14-12-48 15.12.48

Issue

Fin. 10673 A

106376 DEC 1948

Fin. W. 106376 AA/48-1

15-12-48